

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

ORIYOMI ALOBA,)
)
Plaintiff,)
)
v.) Case No. CIV-21-286-J
)
C. GULICKSON, et al.,)
)
Defendants.)

ORDER

Plaintiff, a federal prisoner proceeding pro se, brings this action pursuant to 42 U.S.C. § 1983. The matter was referred to United States Magistrate Judge Gary M. Purcell for initial proceedings consistent with 28 U.S.C. § 636. [Doc. No. 3]. Judge Purcell submitted a report and recommendation recommending that Plaintiff's Application for Leave to Proceed *In Forma Pauperis* be denied and that this case be dismissed without prejudice unless Plaintiff pays the full filing fee. [Doc. No. 10]. Plaintiff was advised of his right to object to the Report and Recommendation by May 3, 2021. On April 21, 2021, Plaintiff filed his objection. [Doc. No. 11]. In his objection, Plaintiff advises the Court that he currently has multiple other pending civil cases, including two appeals, and that he will not have sufficient funds to pay the filings fees in all of these cases. In light of these other cases, Plaintiff asserts that his in forma pauperis application should be granted. Because Plaintiff currently has sufficient funds in his institutional account to pay the filing fee in full, *see* Inmate Inquiry [Doc. No. 9-1], the Court concludes that Plaintiff's Application for Leave to Proceed *In Forma Pauperis* should be denied.

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 10] and DENIES Plaintiff's Application for Leave to Proceed *In Forma Pauperis* [Doc. No. 9]. Plaintiff

is required to pay the \$402 filing fee in full by May 17, 2021. If Plaintiff fails to pay the full filing fee by May 17, 2021, this case will be dismissed without prejudice.

IT IS SO ORDERED this 23rd day of April, 2021.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE